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DEPARTMENT OF STATE

AIRGRAM

(Departmental and Foreign Service)

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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE 3 MAY 1982
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FEB 28 1962

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TO : Department of State

FROM : Amembassy TOKYO

DATE: February 23, 1962

SUBJECT: Consular Convention Negotiations

REF : W-279 4A

In commencing current renewal of negotiations with FonOff, Embassy has again stressed firmness US views on non-inclusion most-favored-nation provision and desire US-Japan Convention stand by itself without commitments embracing other treaties.

While taking US position Article 3 under advisement, Japanese side has disclosed for first time fallback stand on Article 5(3) stating its concern rests upon possible treaty concessions to third countries by US in future more favorable than contained in convention with Japan and not repeat not upon privileges immunities stipulated in older US treaties. Despite Embassy explanations drawing fully upon Department's guidance, Japanese still urging retention Article 5(3) with insertion limitation such as "by future commitment" or "in the future" between words "than that accorded" and "to any third state".

Instructions requested acceptability either phrase or similar wording.

REISCHAUER

LEGAL ADVISER
reply drafted 3/21/62
FEB 28 1962
LJH L/a file
DEPARTMENT OF STATE

CLASSIFIED FILE

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Drafted by: RJBlake:af

Contents and Classification Approved by: DCM - William Leonhart

Clearances:

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